

September 19, 2005

VIA FACSIMILE

Commissioner Robert E. Nicolay
Chairman, Certificate of Need Program Task Force
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215

Rex W. Cowdry, M.D.
Executive Director
Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, Maryland 21215-2299

Re: Certificate of Need Program Task Force-Proposal to Schedule an
Additional Meeting

Gentlemen:

I suggest that an additional Task Force meeting be held. While the Task Force effort has not been "Staff driven," Staff's reaction to the matters considered by the Task Force would be useful and productive before final votes are taken. In my view, a dialogue with Staff before proposing changes to the Commission will improve the quality and value of the Task Force's recommendations. This is not possible unless we have an additional meeting.

I am also concerned that many of the "process improvement" recommendations made to the Task Force have not been discussed. Nor has Staff's position and reaction to these proposals been obtained. While a subgroup was supposed to assess these recommendations and report to the Task Force, this did not occur. I believe that a dialogue with Staff before recommendations are made will result in better-reasoned and more useful proposals.

An additional meeting would also provide the time necessary to review and collectively approve the Task Force's final report to the Commission. At the most recent meeting, a draft report was considered. Although the matters upon which straw votes have been taken were identified and noted as recommendations where appropriate, the

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draft report did not include an explanation of the Task Force's reasons for making those proposals. The Task Force was advised that the Task Force's reasoning would be added. However, a revised draft of the final report has not yet been distributed. Indeed, even if a report explaining the Task Force's rationale is available before Thursday's meeting, the Task Force cannot collectively consider any subsequent changes based on Thursday's discussion unless another meeting is held.

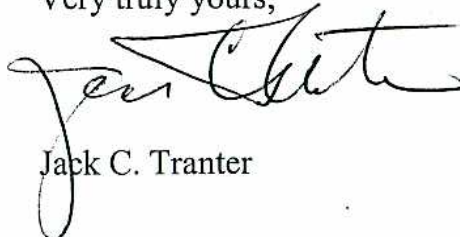
I recognize that Task Force members are volunteers and that the time committed to this undertaking has been considerable. Nonetheless, in my view, a single additional meeting will result in better-reasoned recommendations and a final report that will be of more value to the Commission.

Accordingly, I recommend that an additional meeting be scheduled so that Task Force members may consider Commission Staff's views, review and discuss the various process recommendations, and resolve any "open" issues. For example, I do not believe that consensus was reached or a straw vote taken on various matters, including the Task Force's Guiding Principles. As related above, an additional meeting will also enable the group to consider the final version of the report that will be produced following this Thursday's meeting

Thank you for considering this request. I am sending this letter to all Task Force members and ask that they advise you whether they believe an additional meeting is necessary.

Best regards,

Very truly yours,

A handwritten signature in black ink, appearing to read "Jack C. Tranter", with a stylized, cursive script.

Jack C. Tranter

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JCT/cmc
cc: Members of the CON Task Force
Ms. Pamela Barclay